

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY CS D.C.  
05 MAY 25 AM 8:19  
ROBERT R. DI TROLIO  
CLERK OF U.S. DIST. CT  
W.D. OF TN.-JACKSON

JIMMY WAYNE FORSYTHE and wife, )  
FREDA JOY FORSYTHE, )

Plaintiff, )

v. )

NO.: 03-1110-An

RUPORT BARNES, and )  
DOGGETT AUTO & TRUCK, )

Defendants. )

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AMENDED RULE 16(b) SCHEDULING ORDER

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Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

COMPLETING ALL DISCOVERY: January 9, 2006

FILING DISPOSITIVE MOTIONS: January 27, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) for Plaintiff: February 3, 2006
- (b) for Defendant: February 10, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The parties have consented to trial before the Magistrate Judge and will file a written consent form with the court.

The trial of this matter is expected to last 2-3 days and is **SET** for **JURY TRIAL** on **TUESDAY, MARCH 7, 2006 at 9:30 A.M.** A joint pretrial order is due on **FRIDAY, FEBRUARY 24, 2006**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FED. R. CIV. P. allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FED. R. CIV. P. 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

***The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.***

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or

extended.

**IT IS SO ORDERED.**

A handwritten signature in cursive script, reading "S. Thomas Anderson", written over a horizontal line.

S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

Date: May 24, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 33 in case 1:03-CV-01110 was distributed by fax, mail, or direct printing on May 26, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT